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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Summary record of the 9th meeting
Held at Headquarters, New York, on Friday, 23 June 2017, at 3 p.m.

Chair: Mr. Koroma (Vice-Chair) (Sierra Leone)

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In the absence of Mr. Ramírez Carreño (Bolivarian Republic of Venezuela), Mr. Koroma (Sierra Leone), Vice-Chair, took the Chair.

The meeting was called to order at 3.20 p.m.

Question of the Falkland Islands (Malvinas) *(continued)* (A/AC.109/2017/6, A/AC.109/2017/L.26)

1. **Mr. Arriola Ramírez** (Observer for Paraguay), speaking on behalf of the Southern Common Market (MERCOSUR) States parties and associated States, said that, in the joint communiqué adopted in 2015 by the Common Market Council and the Summit of Heads of State of MERCOSUR, the Presidents had reiterated the terms of the 1996 Declaration of Potrero de los Funes on the Malvinas Islands and had reaffirmed their support for the legitimate rights of Argentina in the sovereignty dispute. The adoption of unilateral measures was incompatible with United Nations decisions, and it would be in the interests of the region if the dispute between Argentina and the United Kingdom over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were resolved as soon as possible in accordance with the relevant United Nations resolutions and the declarations of the Organization of American States, the Community of Latin American and Caribbean States, the Union of South American Nations, MERCOSUR and other regional and multilateral forums.

2. The Presidents had also welcomed the decision of their President Pro Tempore to urge the Secretary-General of the United Nations to advance the mission of good offices entrusted to him by the General Assembly and bring about the resumption of negotiations towards a peaceful solution to the dispute as soon as possible, and to report on the progress made in the fulfilment of that mission.

3. Also in 2015, the Heads of State of the MERCOSUR States and associated States had adopted a special communiqué entitled "Hydrocarbon exploration on the Argentine continental shelf in the vicinity of the Malvinas Islands" (A/70/628, annex), in which they had recalled the ongoing mandate set forth in United Nations General Assembly resolution 31/49, which called upon both parties in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas to refrain from taking decisions that would imply introducing unilateral modifications in the situation, as such decisions were in no way conducive to the attainment of a definitive solution to the sovereignty dispute, a solution which the international community had called for repeatedly.

4. Speaking as the observer for Paraguay, he said that the Governments of Argentina and the United Kingdom should resume negotiations as soon as possible with a view to settling the sovereignty dispute concerning the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, and thereby find a peaceful solution to that prolonged controversy. His delegation commended the Argentine Government for its willingness to continue exploring all possible means for the peaceful resolution of the dispute and for its constructive attitude towards the inhabitants of the Malvinas Islands.

5. **Ms. Sánchez** (Observer for Honduras) said that in the various multilateral organizations, mechanisms and forums in which her country participated, it continued to support the sovereign rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas.

6. In January 2017, at the fifth Summit of the Community of Latin American and Caribbean States, held in Punta Cana, Dominican Republic, the Heads of State and Government had emphasized the willingness of the Argentine Government to engage in dialogue with a view to reaching a definitive solution to the dispute, and had reaffirmed their commitment to continue working within the framework of international law to ensure that Latin America and the Caribbean was a region free of colonialism. On 27 March 2015, in a joint communiqué issued by the Council of Ministers for Foreign Affairs of the Central American Integration System and the Minister for Foreign Affairs and Worship of Argentina, the Central American countries had reiterated their firm support for the legitimate rights of the Argentine Republic in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas.

7. **Ms. Jáquez Huacuja** (Observer for Mexico) said that the United Nations had a key role to play in ongoing decolonization processes, especially within the context of the Third International Decade for the Eradication of Colonialism.

8. The rights of Argentina in the sovereignty dispute over the Malvinas Islands and the surrounding maritime areas were legally and historically valid. Dialogue between Argentina and the United Kingdom should remain open and the countries should resume negotiations with a view to reaching a just, peaceful

and definitive solution that was mutually acceptable to the parties, within an institutional framework and in a spirit of mutual respect, in accordance with international law.

9. The parties should refrain from taking unilateral actions or decisions that would contravene the relevant resolutions and would imply introducing unilateral modifications that might affect their rights in the dispute while it remained unresolved. Accordingly, her delegation reiterated its support for the relevant resolutions and declarations adopted by the United Nations, the Ibero-American Summit, the Community of Latin American and Caribbean States and the Organization of American States, which had just unanimously adopted a declaration on the Malvinas Islands.

10. **Ms. Carrión** (Observer for Uruguay) said that the question of the Malvinas Islands was of particular importance to her country and the region. Uruguay reaffirmed its total commitment, for historical, legal and geographical reasons, to the legitimate sovereignty rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. The United Kingdom had pursued unilateral activities relating to the exploration and exploitation of renewable and non-renewable resources in spite of calls by the international community to refrain from taking decisions that would imply introducing unilateral modifications in the situation, as such decisions were in no way conducive to the attainment of a definitive solution to the territorial dispute. Argentina, meanwhile, was entitled to take legal action, in accordance with international law and relevant resolutions, against the unauthorized exploration and exploitation of hydrocarbons in the disputed area.

11. Since the adoption of resolution 2065 (XX), the General Assembly and the Committee had reiterated that the way to put an end to the special and particular colonial situation of the Malvinas Islands was the peaceful and negotiated settlement of the dispute over sovereignty between the Governments of Argentina and the United Kingdom. It was therefore essential for the two Governments involved to resume negotiations in order to reach a prompt, peaceful, fair and definitive solution to the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas in accordance with the relevant resolutions and declarations adopted by the United Nations and the Organization of American States.

12. **Mr. Mendoza-García** (Observer for Costa Rica) said that the Committee should continue to seek appropriate means to implement the Declaration on the Granting of Independence to Colonial Countries and Peoples and the provisions of other relevant General Assembly resolutions, including resolution 1541 (XV), and put into practice the measures adopted within the framework of the Third International Decade for the Eradication of Colonialism.

13. Costa Rica supported the legitimate sovereign rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, and acknowledged the justice of its claim, which was supported by various General Assembly resolutions. Costa Rica had declared its support in various regional and international forums and organizations and urged the parties to initiate negotiations as soon as possible in order to reach a peaceful, definitive solution to the protracted dispute. Furthermore, Costa Rica welcomed the joint communiqué issued by Argentina and the United Kingdom in September 2016, in which the countries had agreed upon measures to remove all obstacles limiting the economic growth and sustainable development of the Malvinas Islands.

14. A further important development was the Humanitarian Project Plan supported by the International Committee of the Red Cross and intended to identify the unidentified Argentine soldiers buried in Darwin cemetery. The Government of Argentina had made the request in 2012 and work would finally begin. Bilateral relations between the two parties had improved; however, further steps should be taken towards a resolution of the dispute and a peaceful and lasting solution. Costa Rica was committed to finding efficient, lasting and peaceful solutions in a world characterized by new challenges, and to ending colonialism in all its forms and manifestations.

Question of American Samoa (A/AC.109/2017/1; A/AC.109/2017/L.25)

15. **The Chair** drew attention to the working paper prepared by the Secretariat on the question of American Samoa (A/AC.109/2017/1).

Draft resolution A/AC.109/2017/L.25: Question of American Samoa

16. *Draft resolution A/AC.109/2017/L.25 was adopted.*

Question of Pitcairn (A/AC.109/2017/12; A/AC.109/2017/L.20)

17. **The Chair** drew attention to the working paper prepared by the Secretariat on the question of Pitcairn (A/AC.109/2017/12).

Draft resolution A/AC.109/2017/L.20: Question of Pitcairn

18. *Draft resolution A/AC.109/2017/L.20 was adopted.*

Question of Saint Helena (A/AC.109/2017/13; A/AC.109/2017/L.21)

19. **The Chair** drew attention to the working paper prepared by the Secretariat on the question of Saint Helena (A/AC.109/2017/13).

Draft resolution A/AC.109/2017/L.21: Question of Saint Helena

20. *Draft resolution A/AC.109/2017/L.21 was adopted.*

Question of the Turks and Caicos Islands (A/AC.109/2017/15; A/AC.109/2017/L.22)

21. **The Chair** drew attention to the working paper prepared by the Secretariat on the question of the Turks and Caicos Islands (A/AC.109/2017/15).

Draft resolution A/AC.109/2017/L.22: Question of the Turks and Caicos Islands

22. *Draft resolution A/AC.109/2017/L.22 was adopted.*

Question of the United States Virgin Islands (A/AC.109/2017/16; A/AC.109/2017/L.23)

23. **The Chair** drew attention to the working paper prepared by the Secretariat on the question of the United States Virgin Islands (A/AC.109/2017/16).

Draft resolution A/AC.109/2017/L.23: Question of the United States Virgin Islands

24. *Draft resolution A/AC.109/2017/L.23 was adopted.*

Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories (A/AC.109/2017/L.8)

Draft resolution A/AC.109/2017/L.8: Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories

25. *Draft resolution A/AC.109/2017/L.8 was adopted.*

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (A/71/69; A/AC.109/2017/L.9/Rev.1; E/2017/59)

26. **The Chair** drew attention to documents A/71/69 and E/2017/59, containing the report of the Secretary-General and the report of the Economic and Social Council, respectively.

Draft resolution A/AC.109/2017/L.9/Rev.1: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

27. **Mr. Aleksaev** (Russian Federation) said that his Government had always been in favour of self-determination and independence for the Non-Self-Governing Territories. However, consideration of that purely political issue by the Economic and Social Council was a distraction from its main function, which was to coordinate action in the economic and social spheres. For that reason, the Russian Federation traditionally abstained from voting on the draft resolution.

28. *Draft resolution A/AC.109/2017/L.9/Rev.1 was adopted.*

The meeting was suspended at 4.05 p.m. and resumed at 10.10 p.m.

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/AC.109/2017/L.10/Rev.1)

Draft resolution A/AC.109/2017/L.10/Rev.1: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

29. *Draft resolution A/AC.109/2017/L.10/Rev.1 was adopted.*

Question of sending visiting missions to Territories (*continued*) (A/AC.109/2017/L.6)

Draft resolution A/AC.109/2017/L.6: Question of sending visiting and special missions to Territories

30. **Ms. Elliott** (Secretary of the Committee) said that the word "willingness" in the seventh preambular paragraph had been replaced by "readiness" and the eighth preambular paragraph had been deleted. Paragraph 2 had been revised to read: "Requests the Chair of the Special Committee, in collaboration with the members of the Bureau, to develop in a timely

manner for the consideration and adoption by the Special Committee of a plan on a case-by-case basis for conducting visiting missions to the Non-Self-Governing Territories." Lastly, a footnote to paragraph 2 had been added, which read: "A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Malvinas), and a dispute also exists between the Governments of Spain and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over Gibraltar."

31. *Draft resolution A/AC.109/2017/L.6, as orally revised, was adopted.*

Report of the Caribbean regional seminar
(A/AC.109/2017/CRP.1/Rev.1; A/AC.109/2017/CRP.2)

32. **The Chair** drew attention to conference room paper A/AC.109/2017/CRP.1/Rev.1 containing the draft conclusions and recommendations of the Caribbean regional seminar, which had been held from 16 to 18 May 2017 in Kingstown, Saint Vincent and the Grenadines.

33. **Ms. Elliott** (Secretary of the Committee) said that the start of paragraph 29 (c) had been revised to read: "Recalled the mandate of the Special Committee towards self-determination for the people of Western Sahara, and reaffirmed all resolutions of the General Assembly, and supported all resolutions of the Security Council on the question of Western Sahara and the commitment of the Secretary-General and his Personal Envoy".

34. *Conference room paper A/AC.109/2017/CRP.1/Rev.1, containing the draft conclusions and recommendations of the Caribbean regional seminar, as orally revised, was adopted.*

35. **The Chair** drew attention to the procedural report of the Caribbean regional seminar contained in document A/AC.109/2017/CRP.2.

36. **Ms. Elliott** (Secretary of the Committee) said that a new paragraph 12 had been inserted, which read: "A point of order was made by the representative of Indonesia." In addition, a new paragraph 13 had been inserted, replacing paragraphs 12 to 19, which read: "The Seminar held five meetings." Lastly, the wording "which was not concluded but was transmitted to the June session of the Special Committee for a final decision" had been added to paragraph 14, formerly paragraph 20.

37. *The procedural report of the Caribbean regional seminar, contained in document A/AC.109/2017/CRP.2, as orally revised, was adopted.*

Organization of work

38. **The Chair** suggested that the Committee should authorize the Rapporteur to prepare the report of the Special Committee to the seventy-second session of the General Assembly. In accordance with established practice, the Committee should authorize the Rapporteur to submit the report directly to the Assembly.

39. *It was so decided.*

Closure of the session

40. **The Chair**, after the customary expression of thanks to the Committee members and Secretariat staff, declared the session closed.

The meeting rose at 10.30 p.m.